IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6969 OF 2004

Nitin Ramdas Khaladkar ..Petitioner

versus

Ramu K. Kadam & Ors. ..Respondents

Mr. Uday Warunjikar for the Petitioner.

Mr. P. J. Shinde for Respondent Nos.1A to 1D, 1G and 1H.

CORAM : D. G. DESHPANDE, J.

DATE : 7TH FEBRUARY, 2007

P.C. :

1. Heard Advocate for the Petitioner and the Respondent Nos.1A to 1D, 1G and 1H.

2. Petitioner wanted to join as a party to the appeal arising out of a decree, that was done by him in order to protect his interest being the purchaser of the suit property. Appellate Court rejected his application. The question is whether any party can claim by way of right to be joined as a party in an appeal. There is no such provision. Appeal is a continuation of the proceedings from the trial

court. In any case if at all the petitioner has acquired some interest in the suit property, he can take objection at the appropriate time i.e. at the time of the execution. Petition is dismissed with the aforesaid liberty to the Petitioner.

(D.G. DESHPANDE, J.)